

AMENDED IN ASSEMBLY MAY 1, 2003
AMENDED IN ASSEMBLY APRIL 21, 2003
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CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1006

Introduced by Assembly Member Chu

(Principal ~~Coauthor~~ *coauthor*: Senator Speier)

**(Coauthors: Assembly Members Chan, Cohn, Diaz, Dymally,
Hancock, Jackson, Levine, Lieber, Longville, Lowenthal, Mullin,
Pavley, Steinberg, Wiggins, and Yee)**

(Coauthors: Senators Chesbro, Kuehl, and Romero)

February 20, 2003

An act to add Section 17615 to the Education Code, relating to pesticide.

LEGISLATIVE COUNSEL'S DIGEST

AB 1006, as amended, Chu. The Healthy Schools Act of 2003.

Existing law generally regulates pesticide use. Existing law, the Healthy Schools Act of 2000, requires the Department of Pesticide Regulation to promote and facilitate the voluntary adoption of integrated pest management for school districts.

This bill, the Healthy Schools Act of 2003, would prohibit all public schools from using the most highly toxic pesticides, as listed, on school property.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature hereby finds and declares all of the following:

(1) Pesticides have been linked to numerous acute and chronic illnesses, including cancer and asthma.

(2) Because children's bodies and brains are still developing, exposure to pesticides can have detrimental and irreversible effects.

(3) A recent study reveals that female teachers have a significantly higher cancer rate compared to other women of the same age and race, including brain cancer, breast cancer, and leukemia, which shows a link to pesticides.

(4) Recognizing the impact of pesticides on the school community, the Department of Pesticide Regulation has developed a Web site, written training materials, and conducted regional training sessions to assist schools that have chosen to adopt least-toxic integrated pest management techniques and to eliminate use of the most dangerous pesticides.

(5) However, many California public schools continue to use highly toxic pesticides.

(6) It is necessary to take precautionary measures to protect the health and safety of California school children and teachers, and better ensure a safe learning and working environment.

(b) This act shall be known, and may be cited as, the Healthy Schools Act of 2003.

SEC. 2. Section 17615 is added to the Education Code, to read:

17615. (a) No public school may use the most highly toxic pesticides on school property.

(b) For purposes of this section, "most highly toxic pesticides" means:

(1) Pesticide products with high acute toxicity as defined by the United States Environmental Protection Agency in Toxicity Categories I and II, as defined in Part 156.62 of Title 40 of the Code of Federal Regulations.

(2) Pesticide products containing N-methyl-carbamate, neurotoxic organophosphorus compounds, or pyrethroids.

(3) Pesticide products containing active ingredients rated by the United States Environmental Protection Agency as A, B, or C

1 carcinogens or substances listed as, known or likely carcinogens,
2 known to be human carcinogens, likely to be human carcinogens,
3 or suggestive of being human carcinogens, as described in the
4 “List of Chemicals Evaluated for Carcinogenic Potential,” or
5 known to the state to cause cancer as listed pursuant to Proposition
6 65.

7 (4) Pesticide products containing active ingredients that cause
8 birth defects, reproductive harm, or developmental harm as
9 identified by the United States Environmental Protection Agency
10 or listed pursuant to Proposition 65.

11 *(c) This section does not apply to disinfectants or*
12 *micro-biocides used for cleaning.*

